chandan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.1381 OF 2007

Sau Laxmibai Sitaram Parkhi : Petitioner

versus

Shri Nivrutti Balaji Jambulkar

and others. : Respondents.

Mr.R.Dhananjay Rao i/by Mr.S.P.Thorat for the petitioner.

Mr.Anil Subramaniam for Respondent Nos.1,2,7,8, 12 and 13.

CORAM : D.B.BHOSALE, J.

DATED : JULY 10, 2007.

P.C.

1. Heard Mr.R.Dhananjay Rao, learned counsel for the petitioner and Mr.Anil Subramaniam for Respondent Nos.1,2,7,8,12 and 13.

2. By this writ petition the petitioner has impugned the judgment and order dated 20.11.2006 by which Misc.Civil Application No.311 of 2006 filed by the petitioner has been dismissed.

3. It appears that the trial court has granted protection to the share of petitioner while allowing her application at Exhibit-5 vide order dated 30.9.2006. Keeping that in view and considering the over all facts and circumstances of the case I am not inclined to interfere with the order impugned in the present petition filed under Article 227 of the Constitution of India. The trial Court, however, shall decide the suit as expeditiously as possible and preferably within a period of one year from the date of receipt of this order on merits in accordance with law and uninfluenced by the observations made in the impugned order. This petition fails and is dismissed accordingly.

[D.B.BHOSALE, J]